

DOCKET NO.: WYNC-0716 (AM101156-1 US)
Application No.: 10/684,777
Office Action Dated: July 26, 2006

PATENT

REMARKS

Claims 1 to 21 are pending in this application and subject to restriction under 35 U.S.C. § 121 as allegedly containing claims directed to patentably distinct species (venlafaxine, o-desmethyl venlafaxine, milnacipran, and duloxetine). Applicants are required to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Office indicates that claims 1 to 7 and 13 to 21 are generic.

Applicants are herein amending claim 1 and canceling claims 8 to 12, without prejudice or disclaimer.

Applicants elect to prosecute the species of *milnacipran*. Claims 1 to 7 and 13 to 21, as amended, are readable on this species. It is applicants' understanding that they will be entitled to additional species which depend from or otherwise require all of the limitations of an allowable generic claim as provided by 37 C.R.R. § 1.141.

If the Examiner is of a contrary view, the Examiner is requested to contact the undersigned attorney at (404) 459-5642.

Applicants request that the Office send copies of the initialed PTO-1449 forms submitted with the Information Disclosure Statements mailed May 20, 2004 and April 25 2006.

Date: *August 17, 2006*



Wendy A. Choi
Registration No. 36,697

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439